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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/052,649	01/18/2002	Danny S. Barnes	005557.P008	5629

7590

12/22/2005

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EXAMINER

SELBY, GEVELL V

ART UNIT

PAPER NUMBER

2615

DATE MAILED: 12/22/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/052,649

Applicant(s)

BARNES ET AL.

Examiner

Gevell Selby

Art Unit

2615

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 October 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 10/3/05 has been entered.

Response to Arguments

2. Applicant's arguments filed 10/30/05 have been fully considered but they are not persuasive. In the interview on 8/26/05, the examiner agreed that the proposed amendment overcome the rejection based on U.S. 6,236,735; however, upon further review of the reference the examiner found new grounds to reject the claims in view of U.S. 6,236,735 and apologizes that the rejection cannot be withdrawn.

The applicant submits that the prior art does not disclose the limitation of "wherein the port is adapted to allow an external camera to be connected to the machine vision system so that the same image buffer can capture images from both the internal camera and the external camera" as claimed in claims 1, 7, and 10.

Examiner's Reply:

The Bjorner reference discloses an apparatus comprising a camera port connected to the third image buffer (general purpose memory 58), wherein the port is adapted to allow an external camera (16) to be connected to the machine vision system so that the same image buffer can

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capture images from both the internal camera (22) and the external camera (16) by transferring the data through the high res. buffer (68) and the low res. Buffer (56) to the image buffer (58) (see column 10, lines 25-33 and column 11, lines 7-12).

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. **Claims 1, 3-7, 9, 10, and 12-14 are rejected under 35 U.S.C. 102(e) as being anticipated by Bjorner et al., US 6,236,735.**

In regard to claims 1, 7, and 10, Bjorner et al., US, 6,236,735, discloses an apparatus and process for operating the apparatus comprising:

a machine-vision system comprising an internal camera (see figure 4, element 22 and column 7, lines 20-35: The camera is internal to or part of the machine-vision system) operatively connected to an image buffer (see figure 4, element 58, the image buffer or general purpose memory is connected to the camera 22 through the line buffer 68), and a digital signal processing unit (see figure 4, element 30 and figures 5 and 7: The host computer's CPU performs the processing for the system); and

a camera port connected to the image capture unit (see figure 4, element 54: It is inherent there is a video input port in order for the video signal (54) from the camera 16 to enter the computer), wherein the port is adapted to allow an external camera (16) to be connected to the machine vision system so that the same image buffer (58) can capture images from both the internal camera (22) and the external camera (16) by transferring the data through the high res. buffer (68) and the low res. Buffer (56) to the image buffer (58) (see column 10, lines 25-33 and column 11, lines 7-12).

In regard to claims 3, 9, and 13, Bjorner et al., US, 6,236,735, discloses the apparatus and process of claims 1, 7, and 10, respectively, further comprising a decoder (see figure 4, element 28) connected to the camera port and to the image buffer (see column 9, lines 45-57: The video processor or decoder is connected to the image buffer through the camera port of the video signal (54)).

In regard to claims 4 and 14, Bjorner et al., US, 6,236,735, discloses the apparatus of claims 3 and 10, respectively, further comprising an external camera, wherein the external camera outputs an analog signal (see column 9, lines 45-49).

In regard to claims 5 and 11, Bjorner et al., US, 6,236,735, discloses the apparatus of claims 1 and 10, respectively, wherein the internal camera comprises a lens and an image sensor (see column 7, lines 20-24: It is inherent the CCD camera has a lens to focus the light on the image sensor).

In regard to claim 6, Bjorner et al., US, 6,236,735, discloses the apparatus of claim 1, further comprising a memory (see figure 4, element 58).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. **Claims 2, 8, and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bjorner et al., US 6,236,735.**

In regard to claims 2, 8 and 11, Bjorner et al., US 6,236,735, discloses the apparatus of claims 1, 7, and 10, respectively. The Bjorner reference does not disclose that the cameras output a digital signal. The Official Notice taken in the previous office action stating that is well known in the art to configure a camera to have an A/D converter to convert the analog signal to digital is taken as prior art. Since the applicant has not timely traversed the old and well known statement, the above is now considered admitted prior art. See MPEP 2144.03 (c).

It would have been obvious to one of ordinary skill in the art to configure the system of the Bjorner reference to have the A/D converters in the cameras in order to send a digital signal to the processor.

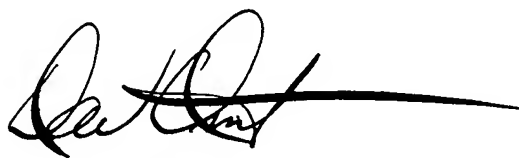
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gevell Selby whose telephone number is 571-272-7369. The examiner can normally be reached on 8:00 A.M. - 5:30 PM (every other Friday off).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Ometz can be reached on 571-272-7593. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

gvs

A handwritten signature in black ink, appearing to read 'David Ometz', with a long horizontal line extending to the right.

DAVID OMETZ
SUPERVISORY PATENT EXAMINER